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Cupertino Electric, Inc., Wright Tree Service,
Inc., and Wright Tree Service of the West, Inc.*

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION and PACIFIC GAS AND
ELECTRIC COMPANY,

Debtors,

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case, No.
19-30088 (DM)*

Case No. 19-30088 (DM)

Chapter 11

**CN UTILITY CONSULTING, INC.,
CUPERTINO ELECTRIC, INC., WRIGHT
TREE SERVICE, INC., AND WRIGHT
TREE SERVICE OF THE WEST, INC.'S
PROPOSED MODIFICATIONS TO
DEBTORS' PLAN AND CONFIRMATION
ORDER**

Date: June 8, 2020
Time: 9:30 a.m. (PST)
Place: Courtroom 17
450 Golden Gate Avenue, 16th Floor
San Francisco, CA 94102

CN Utility Consulting, Inc. ("CNUC"), Cupertino Electric, Inc. ("CEI"), Wright Tree Service, Inc. ("WTS"), and Wright Tree Service of the West, Inc. ("WTSW") hereby submit their proposed modifications to the *Debtors' and Shareholder Proponents' Draft Joint Chapter 11 Plan of Reorganization Dated June 7, 2020* [Dkt. No. 7814-1] ("Plan"), as subsequently amended and supplemented; and proposed order confirming the Plan (the "Confirmation Order"). CNUC, CEI,

1 WTS, and WTSW submit that the following proposed additional language below is appropriate and
2 request that it be included within any confirmed Plan and associated Confirmation Order:

3
4 Notwithstanding anything to the contrary in the Plan, Plan Supplement,
Confirmation Order, or any Plan Document:

- 5 (i) all Assigned Rights and Causes of Action are transferred to the Fire
6 Victim Trust subject to any and all rights and defenses including,
without limitation, contribution, indemnity, setoff, and recoupment;
- 7 (ii) all executory contracts that are assumed shall be assumed without
8 modification except for existing defaults that were not asserted in an
9 objection to the *Schedule of Executory Contracts and Unexpired Leases*
10 *to be Assumed Pursuant to the Plan and Proposed Cure Amounts*
contained in the Debtors' Plan Supplement [Dkt. No. 7037] or with
respect to which such objection was overruled;
- 11 (iii) Fire Claims shall not include claims of providers of goods and services
12 to the Debtors arising out of or related to the provision of such goods or
services;
- 13 (iv) Claims not related to any assumed executory contract and which are not
14 Fire Claims shall not be modified by the Plan and shall be resolved in
the claims resolution process in the Debtors' bankruptcy case.

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16 MICHAEL B. LUBIC
MATTHEW G. BALL
17 K&L GATES LLP

18 Dated: June 8, 2020

19 By: /s/ Michael B. Lubic
Michael B. Lubic

20 *Attorneys for CN Utility Consulting, Inc.,*
21 *Cupertino Electric, Inc., Wright Tree Service,*
Inc., and Wright Tree Service of the West, Inc.